

REMARKS/ARGUMENTS

In the present Office action, claims 1-3 were examined. Claims 1-3 were rejected. By this amendment, claims 2-3 have been cancelled. Claims 4-7 have been added. Claim 1 has been amended. No new matter has been added. Claims 1 and 4-7 are now believed to be in condition for allowance.

Rejections under 35 U.S.C. 103

The Examiner rejected claims 1-3 as being unpatentable over Clarke (6,351,738 B1) in view of Gupta (5,349,535).

The Examiner states that Clark discloses a method for supplying business partners with necessary equipment whereby a service office controls the service process of business partners and provides a product database comprising all the data about the products and services including technical data. The Examiner states that Clark fails to explicitly teach the step of establishing the business with business partners but takes official notice that establishing a business with one or more business partners is old and well known in the art. The Examiner further states that Gupta teaches a service station involving battery power devices and that it would have been obvious to one with ordinary skill in the art to combine the teaching of Gupta and the invention of Clark. The Examiner notes that the combinations of disclosures taken as a whole suggest that business partners would have benefited from the expertise and supplies involving battery power devices.

Applicant respectfully disagrees with the Examiner's characterization of Clark. As a result of this mischaracterization, Applicant contends that neither Clark nor Gupta, taken alone

or in combination, suggest the present invention as recited in amended claim 1 and new claims 4-7. As noted above, the Examiner states that Clark fails to teach the step of establishing the business with business partners and the product/service involving battery power devices, including the producer, technical data, and kinds of accumulators or battery packs or single cells. The Examiner further argues that Gupta teaches a service station especially for vehicles which is used for monitoring the status of a battery pack. Gupta teaches using a microprocessor and associated electronics, sensors and memory to identify and accumulate statistics about the use of a battery pack. Such a system is associated with a specific battery pack and can be either built into one or more (perhaps all) of the batteries by attaching to the pack. Information concerning all of the things which happen to the batteries communicated to an external computer or network to be used to bill users of the pack, track pack characteristics and energy usage, estimate remaining pack life, provide a warning of "sick" or abused packs, and to provide the vehicle driver with an indication of remaining range.

Such a configuration is dramatically different from that of the present invention. Specifically, Gupta makes use of data which is specifically directed to the history of the battery being monitored. In addition, the microprocessor of Gupta is associated with a particular battery pack, in contrast to the present invention. Therefore, both the substance and the structure of the data collected in Gupta are entirely different from the data residing in the product database of the present invention. Specifically, the product database of the present invention comprises data regarding battery power devices, producers, technical data, kinds of accumulators or battery packs or single cells, technical data and prices. Therefore, the database of the present invention includes detailed information about a plurality of different battery power devices and does not collect or store any information particular to a specific instance of a particular battery power

device. The element of the product database of the present invention is clearly recited in independent claims 1 and 4 of the present application.

It is therefore evident that the element of the product database as recited in claims 1 and 4 are nowhere taught or suggested by either Clark or Gupta. As a result, neither Clark nor Gupta, taken alone or in combination, teach or suggest the present invention as recited in claims 1 and 4 of the present application. As a result, claims 1 and 4 are believed to be in condition for allowance. As claims 5-7 depend upon claim 4, claim 4 now believed to be in condition for allowance, claims 5-7 are likewise believed to be in condition for allowance.

In addition, Clark discloses a plurality of additional services which are connected to the HPE. The Examiner interprets the HPE as the central station CS and the business is interpreted as to include a service station business partners SSBP. Furthermore, the system of Clark includes customers and several business connections as can be seen in Figure 1 of Clark. One will note when comparing the figure of the present invention to that of Clark that the connection between the different partners are different as producing a substantially different business system which, in the present application, is specialized for reprocessing accumulators or battery packs.

The Amendment

Claim 1 has been amended to include the limitations of now cancelled claims 2 and 3. This was done to more fully differentiate independent claim 1 from the prior art. Added claim 4 is quite similar to claim 1 and includes nearly identical claim limitations. No new matter has been added. Claims 5-7 serve simply to more clearly define the elements recited in claim 4.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

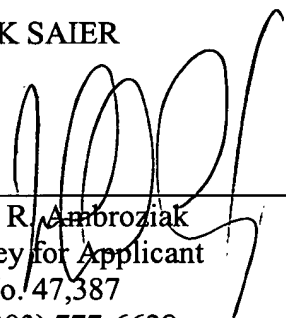
It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Applicant encloses herewith a check in the amount of \$420.00 to cover the fee for filing a two (2) month extension of time request.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

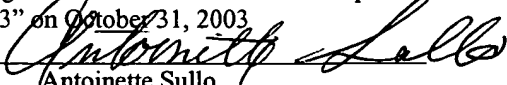
Respectfully submitted,

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Date: October 31, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 31, 2003.


Antoinette Sullo